

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

TYRIEK SKYFIELD,

Defendant.
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USDC SDNY
DOCUMENT
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DATE FILED: 6/11/2020

No. 11 Cr. 912 (JFK)
No. 15 Civ. 2222 (JFK)
ORDER

JOHN F. KEENAN, United States District Judge:

On June 3, 2020, the Court directed the Government to file a letter regarding whether the stay of proceedings in this habeas action should be lifted. On June 9, 2020, Defendant Tyriek Skyfield filed a supplemental memorandum of law in support of his motion to vacate his sentence pursuant to 28 U.S.C. § 2255. The Government subsequently filed a letter requesting that the stay be continued until the Second Circuit has ruled on two pending cases that involve the same question raised by Skyfield's petition, namely, whether an attempted Hobbs Act robbery constitutes a crime of violence. See United States v. McCoy, No. 17-3515 (argued Oct. 23, 2019); United States v. Collymore, No. 19-0596 (argued June 1, 2020).

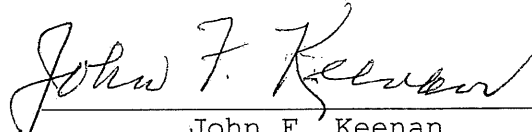
Because McCoy and Collymore involve the same question of law as the present case, principles of judicial economy strongly favor continuing the stay of this action pending the Second Circuit's resolution of the issue. See, e.g., Wang v. United States, No. 13 Civ. 3524 (DLI), 2015 WL 1966465, at *2 (E.D.N.Y.

Apr. 30, 2015); see also Louis Vuitton Malletier S.A. v. LY USA, Inc., 676 F.3d 83, 96 (2d Cir. 2012) ("[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.") (quotation marks omitted).

Accordingly, the Government's request to continue the stay in this case pending resolution of United States v. McCoy, No. 17-3515, and United States v. Collymore, No. 19-0596, is GRANTED. The parties are directed to notify the Court promptly upon resolution of the above cases or, if neither case has been decided, to file a joint status update by no later than September 14, 2020.

SO ORDERED.

Dated: New York, New York
June 11, 2020



John F. Keenan
United States District Judge